

ANTHC BOARD OF DIRECTORS**DISPUTE RESOLUTION POLICY****Purpose**

To enable ANTHC to address and resolve work related concerns, disagreements and disputes among employees and other members of the workforce.

Scope

Applicable to all employees who are direct hire or federal and other members of the workforce.

Policy

Employees and other members of the workforce should identify and report concerns, disagreements and disputes to their supervisors. Whenever possible, they should also actively participate in the resolution of those issues affecting them by working directly with their colleagues, supervisors, and/or other division managers.

- If individuals feel uncomfortable with this approach, or if prior efforts have not fully resolved a situation, ANTHC strongly encourages employees and other members of the workforce to
- Seek assistance from Human Resources or the Compliance Officer and/or use the informal dispute resolution processes described in this policy.

Employees and other members of the workforce may also use the formal dispute resolution process if

- they are unable to fully resolve their concerns, disagreements and/or disputes regarding significant issues through informal processes; and/or
- want to challenge an adverse employment action (such as discipline and corrective action, involuntary demotion or transfer; termination of employment; denial of benefits or requests for accommodation; discrimination; harassment; and retaliation).

Decisions made under policy HR-106 are not subject to this dispute resolution policy.

Human Resources will provide employees and members of the workforce who desire help with any of the informal or formal processes described in this policy with a liaison. The liaison may help individuals collect their thoughts, evaluate their options, support them in meetings, speak on their behalf, help them express themselves in writing, etc. Individuals may select a liaison from a list maintained by Human Resources. An individual may also

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ask Human Resources to approve another person to play this role. However, Human Resources retains the discretion to deny the request.

In some situations, Human Resources may conduct interviews or investigations in addition to or instead of using these processes. Some concerns may be referred to others, such as the Compliance Officer or Safety Officer.

No matter which process is selected, employees and other members of the workforce may ask the CEO to reconsider the resolution. If the CEO is the subject of the concern, disagreement or dispute, the Board of Directors may address the request for reconsideration. Requests for reconsideration should be written. They should explain how the situation should be resolved differently and why.

Retaliation is strictly forbidden. Individuals may not be penalized for making good faith reports of concerns, disagreements or disputes or trying to use these processes to resolve them. Individuals who believe they are being subjected to retaliation should report it to Human Resources and/or Corporate Compliance immediately.

A. Informal Dispute Resolution Processes

There are four informal processes that Human Resources may use, depending on the situation, the preferences of the individuals and managers who are affected, available resources, and the potential impact on operations. Human Resources may alter the processes, offer alternative methods, or use more than one process when necessary to fully and fairly resolve an issue. Although there is no formal deadline, individuals are strongly encouraged to seek resolution as soon as possible after a situation occurs. The passage of time may limit the options for effectively addressing certain issues. At its sole discretion, ANTHC may also decline to use one or more of these processes in individual cases. Additional information about each of these processes is provided in instructions.

1. Informal Mediation

Individuals may ask Human Resources to help them work out a mutually acceptable resolution to a concern, disagreement or dispute through one or more informal meetings. Generally, a member of the Human Resources staff will discuss the situation with each person individually and then arrange a time for everyone to come together to explore the situation and possible resolutions. If the individuals are not able to find a mutually acceptable resolution, Human Resources may suggest one or more alternatives.

2. Talking Circle

An individual may request that a situation be resolved through a traditional consensus process involving the individuals directly involved in the situation causing the concern, disagreement or dispute, others who are affected by the situation, and/or those who

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have the authority, skills, knowledge, and/or wisdom to help work through a difficult or ongoing situation.

3. Peacemaker

Two or more individuals who have a mutual concern, disagreement or dispute, may select one or more persons to act as a Peacemaker by listening to them, considering their situation, and finding a resolution for them. Peacemakers may be selected from a list maintained by Human Resources or submitted to Human Resources for approval.

4. Suggestions/Survey

Individuals may request that Human Resources conduct a survey or make other inquiries to learn what insights other individuals (including other members of the workforce and customers) can offer to help address a concern. Human Resources will typically collect and/or summarize the information in a way that ensures the anonymity of those offering suggestions and insights.

B. Formal Dispute Resolution Process

Employees who are subject to an adverse employment actions may use the formal dispute resolution process. Examples of adverse employment actions include discipline and corrective action, involuntary demotion or transfer; termination of employment; denial of benefits or requests for accommodation; discrimination; harassment; and retaliation. They do not include decisions made under policy 615

Employees and other members of the workforce with significant concerns, disagreements and disputes may also use the formal dispute resolution process. Human Resources may decline to consider issues that are not appropriate for a formal process or that do not justify the resources. For example, Human Resources will typically decline to consider concerns, disagreements and disputes through this process if they are based primarily on unreasonable expectations; personality conflicts; obvious misunderstandings; or readily corrected situations, not requiring extensive investigation and resource utilization; etc.

Some matters involving federal employees, such as situations calling for formal corrective action against a federal employee, may be referred to federal human resources officers for resolution.

Supervisors should contact Human Resources staff before filing a formal dispute to discuss whether the specific situation is more appropriately addressed under the corrective action policy.

1. Discussion with Supervisor and Other Division Managers

Except in extraordinary cases, employees and members of the workforce should discuss their concerns, disagreements or disputes with their supervisor and/or other division managers before submitting a formal dispute to Human Resources for review.

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Employees and members of the workforce may, but are not required, to use the informal processes described in section A for this purpose.

Supervisors and managers should report these informal efforts to Human Resources in accordance with instructions (I-709A). All employees and members of the workforce, including supervisors and managers, are strongly encouraged to seek assistance from Human Resources with this part of the process if they have questions or concerns, or if the informal efforts seem to aggravate the situation.

Employees and other members of the workforce who wish to skip this part of the process and immediately seek formal review may do so if (1) they have good cause (such as being subjected to sexual harassment by a supervisor or fearing retaliation) and (2) they clearly explain why they are doing so in their request for formal review.

Employees and other members of the workforce may not be subjected to retaliation. Nor may individuals who make a good faith effort to resolve genuine concerns, disagreements and disputes be disciplined for insubordination, provided that they conduct themselves in an appropriately professional and respectful manner.

2. Request for Formal Review

Individuals should prepare a written statement that summarizes the reasons they have a concern, disagreement or dispute and requesting a formal review. No special format is required, but individuals should consult the instructions (I-709B) for guidance. The statement should fully explain the following:

- What is the problem, issue, or concern?
- Why is it important? How does it affect the individual?
- Who is involved in the situation or incident?
- Where and when did the situation or incident occur?
- Are there any policies, laws or agreements that are relevant? How?
- What other information is needed to understand the situation?
- Who else has information about the situation?
- What written materials or documents may be helpful in understanding the situation?
- What have people already done to try to resolve the situation? Did it help? Why?
- Has the problem, issue or concern gone through an informal process? If so, when? What was the outcome and why is it unsatisfactory?
- Why does the individual want to use the formal dispute resolution process rather than some other process?
- If applicable, why is individual is seeking permission to file a formal dispute without first discussing it with his or her supervisor? Do the reasons also apply to the supervisor's supervisor and other division managers?
- What resolution is the individual seeking?
- What is the individual willing to do to improve the situation?

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Liaisons may help individuals prepare their written request.

3. Process and Timeline

Employees and members of the workforce should comply with the timeline described below. Individuals who are unable to do so should request an extension and explain the reason for the delay. Otherwise, ANTHC may treat the matter as closed after the time for seeking review or reconsideration, or submitting an appeal or other request has passed.

- a. Requests for Review. Requests should be submitted to the Human Resources Director as soon as possible after the situation or adverse employment action occurs (or after it is clear that informal attempts to resolve the situation are unsatisfactory). Statements that are submitted more than fourteen (14) calendar days after this time should include a detailed explanation for the delay. If there is not a sufficient reason for the delay, Human Resources may decline to review the request.

Human Resources will review the dispute and conduct any inquiries that may be necessary to fully understand the situation. Human Resources will respond to the dispute in writing within a reasonable time, generally fourteen (14) calendar days.

- b. Reconsideration. An individual may ask the Director of Human Resources to reconsider the response. Requests for reconsideration should be made in writing and submitted to the Director within fourteen (14) calendar days after the individual receives the written determination from Human Resources. The request for reconsideration should fully explain why the individual believes the first determination was incorrect, what information was overlooked or misunderstood, and/or why the resolution is unsatisfactory. The Director will respond to the request in writing, generally within fourteen (14) calendar days.
- c. Appeal. An individual may appeal to the CEO if he or she disagrees with Human Resource Director's determination. The appeal should be submitted in writing and should clearly explain why the prior determination is incorrect or unsatisfactory. Appeals should be submitted within fourteen (14) calendar days. The CEO may, but is not required, to consider the appeal. Consideration is more likely if the concern, disagreement, or dispute involves serious allegations or a situation that cannot be fully addressed by Human Resources. If the CEO agrees to consider the appeal, he or she will notify the individual in writing, generally within fourteen (14) calendar days. The CEO will make a final written decision, generally within thirty (30) calendar days.

4. Concerns, Disagreements and Disputes Involving the CEO

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Division Directors who are subject to adverse employment actions and other individuals whose dispute involves the personal conduct of the CEO may submit requests for review directly to the President and Chair of the Board of Directors. If the Board chooses to consider the request, it will notify the individual in writing, generally within sixty (60) calendar days. The notification will also explain the Board's process for considering the request. If a particular situation needs to be resolved more quickly, the request for review should clearly explain the relevant circumstances and timeline.

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